

Remarks

Claims 1-39 are pending in the application. Claims 1, 3, 11-13, 15, 30, and 36-38 have been amended.

Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-39 are rejected under 35 U.S.C. § 103(a) as being obvious over USPN 4,750,482 to Sieverding in view of USPN 5,028,435 to Katz. The Examiner cites Sieverding for the disclosure of a “hydrophilic, elastomeric, pressure-sensitive adhesive which may be used as a coating on a supportive web-like substrate for delivering an active agent. . .” The Examiner states that Sieverding “differs from the instant case only in that it does not teach use of a protein and a carbohydrate.”

Sieverding fails to teach or suggest a cold water-soluble adhesive. Sieverding specifies that the adhesive must be water-insoluble. The Examiner states that “hydrophilic” is functionally equivalent to “water-dispersible.” Applicants have amended claims 1, 3, 11-13, 15, 30, and 36-38 to specify that the adhesive is cold water-soluble.

Sieverding is concerned with a pressure sensitive adhesive that is “a soft, yet strong, rubber-like solid” that “absorbs moisture that cannot be squeezed out.” See col. 5, lines 57-58; col. 6 lines 14. This is clearly NOT an adhesive that solubilizes in water. Rather, Sieverding’s adhesive is structure that will absorb fluid and not break apart even if squeezed.

Significantly, Sieverding specifies that the adhesive is “water-insoluble” (emphasis added). See, e.g., Abstract; col. 1, line 12; col. 5, line 54; col. 6, lines 56 and 67; col. 7, line 13 and 61. As stated in Sieverding, “[t]he cross-linked polymer of the adhesive is water-insoluble and has a three-dimensional matrix.” Col. 7, line 20; see also col. 10, lines 61-68; col. 11, 38-42; col. 14, 21-23; claim 1. The three dimensional network is formed by extensive crosslinking which is preferably done by radiation as exemplified in the Examples. Thus, the adhesive is clearly a crosslinked three dimensional polymer network as discussed at col. 6, lines 58 and 62; col. 7, line 15; col. 9, lines 31 and 42; and NOT an adhesive dispersible in water.

Second, Sieverding fails to teach a cold water-soluble carrier. Thus, Sieverding fails to disclose both a cold water-soluble adhesive and a cold water-soluble carrier, each capable of dissolving once in contact with water. At most, Sieverding discusses a web-like substrate that can be a gauze or nonwoven fabric (see col. 17, line 12), or

polystyrene (col. 16, line 55). If compared to any layer for purposes of argument, the web-like substrate is more appropriately considered equivalent to the support layer described in Applicants' specification.

The Examiner acknowledges that Sieverding fails to teach proteins and carbohydrates but relies on Katz for that disclosure. As discussed above, Sieverding at a minimum fails to disclose a "cold-water soluble carrier" or a "cold-water soluble adhesive." The combination of Sieverding and Katz fails to teach all elements of the present invention. Applicants request that the rejections under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

All outstanding objections and rejections are believed to have been met and overcome. If a telephonic conference with Applicants' undersigned representative would be useful in advancing the prosecution of the present application, the Examiner is invited to contact the undersigned at (651) 733-2180. A notice of allowance for all pending claims is respectfully solicited.

Respectfully submitted,

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